

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

(1)ERIC STRAIT

PLAINTIFF,

vs.

(2) SHELTER MUTUAL INSURANCE
COMPANY

DEFENDANT.

Case No.: 14-CV-00779-CVE-FHM

(Tulsa County Case No. CJ-2014-4377)

**NOTICE OF REMOVAL BY DEFENDANT
SHELTER MUTUAL INSURANCE COMPANY.**

1. Petitioner Shelter Mutual Insurance Company (the “Petitioner”) is a Defendant in a civil action brought against it in the District Court of Tulsa County, State of Oklahoma, on November 14, 2014, and styled *Eric Strait, Plaintiff vs. Shelter Mutual Insurance Company, Defendant*, Case No. CJ-2014-4377. *See* Complaint, attached as Exhibit “1.”

2. At the time of the filing of this action and at the present time, Plaintiff is a resident of Tulsa County, State of Oklahoma. *See* Petition attached as **Exhibit 1** at ¶ 1.

3. At no time was Petitioner organized as any corporate entity or partnership under the laws of the state of Oklahoma, nor did it maintain its principal place of business in the State of Oklahoma. It is a Missouri corporation, with its principal place of business in Columbia, Missouri. *See* OKLA. STAT. TIT. 12, § 2004(C)(4); *see also* Exhibit 1, at ¶ 2.

4. The allegations complained of in the Complaint occurred within the Northern District of Oklahoma.

5. Within thirty days before the filing of this Notice of Removal, the Petitioner has ascertained based upon the Complaint that the aforementioned action is one which is removable under 28 U.S.C. § 1441.

6. The amount in controversy in this action exceeds \$75,000.00, exclusive of interest and costs, as set forth in the Complaint. *See* Exhibit 1, Prayer for Relief.

7. This action was commenced by service of summons upon Petitioner on December 1, 2014. *See* **Exhibit 2**, Summons served upon Oklahoma Insurance Commission. This Notice is therefore timely filed under the provisions of 28 U.S.C. § 1446.

8. Copies of the Complaint and Answer (which constitute all pleadings and orders filed or served) in the aforementioned state action, as well as the Docket Sheet in the state action, are attached hereto, marked as Exhibits 1, 3 and 4 and made a part hereof.

Respectfully submitted,

By: /s/ Whitney M. Eschenheimer
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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of December, 2014, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Upon all Counsel or Parties of Record:

SCOTT L. TULLY
P.O. Box 2141
BROKEN ARROW, OK 74011
ATTORNEY FOR PLAINTIFF
ERIC STRAIT.

/s/ Whitney M. Eschenheimer